



Thomas Carrique

Commissioner Le Commissaire

File #: OPP-7900

February 17, 2022

To all identified towing companies:

On February 14, 2022, pursuant to the *Emergencies Act*, the federal government declared an emergency exists throughout Canada. It was further declared that the emergency necessitates the taking of special temporary measures for dealing with the emergency and provides a general description of the kinds of special temporary measures that may be needed. On February 15, 2022, Emergency Measures Regulations P.C. 2022-107 (regulations) came into force through emergency orders made under section 19 of the *Emergencies Act*.

The Ontario Provincial Police (OPP) thanks you for your willingness to engage in discussions to date to determine a solution that will help us move forward in this emergent situation. Pursuant to section 7(1) of the regulations, and on behalf of the Royal Canadian Mounted Police (RCMP), the OPP is now requiring you to make available, and render, the essential goods and services needed for the removal, towing and storage of any vehicle, equipment, structure or other object that is part of blockades in Ottawa or other critical infrastructure locations in the province of Ontario. In accordance with the regulations, this letter serves as our request to you to provide these services.

This letter is written confirmation of verbal instructions from the OPP, acting on behalf of the RCMP, to provide these services from the date the regulations came into force, which was February 15, 2022, and notice that you are required to continue to comply and provide these services until:

- a) written notice that services are no longer required is provided to you from the OPP;
- b) the day the federal declaration of emergency ends (i.e., expires or is revoked); or,
- c) the day these regulations are repealed,

whichever is sooner.

Compensation for Essential Goods and Services. Please note that the regulations provide that the federal government must provide reasonable compensation for goods or services that must be provided in response to a request under these regulations, which amount must be equal to the current market price for those goods or services of that same type, in the area in which the goods or services are rendered.



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Page two

Compensation. As set out in the regulations, please be aware that any person who suffers loss, injury or damage as a result of anything done, or purported to be done, under these regulations, can apply for compensation under the *Emergencies Act* (under Part V and any applicable regulations).

Protection from Personal Liability. Please note that subsection 47(1) of the *Emergencies Act* provides you with certain protection from personal liability. That subsection would include the regulations. This provision states, among other things, that “[n]o action or other proceeding for damages lie or shall be instituted against....any person providing services pursuant to an order or regulation made under subsection...19(1)...for or in respect of any thing done or omitted to be done...in good faith...”

Thank you for your support to respond under these emergent circumstances.

Yours truly,

A handwritten signature in black ink, consisting of a large, stylized 'C' with a horizontal line through it, followed by a smaller, more complex flourish.

Thomas Carrique, O.O.M.